

# **Small Business Regulatory Fairness Board**

## **Small Business Impact Statement**

**Date:** June 23, 2016

**Rule Number:** 13 CSR 70-3.260

**Name of Agency Preparing Statement:** Department of Social Services

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Please describe the methods your agency considered or used to reduce the impact on small businesses (*examples: consolidation, simplification, differing compliance, differing reporting requirements, less stringent deadlines, performance rather than design standards, exemption, or any other mitigating technique*).

We assembled a group of stakeholders to inform them of the development of asthma education and asthma environmental services. This group consisted of Asthma Educator and Asthma Environmental Assessor representatives. Through this process, we have been working with this group of experts for almost a year to solicit their input to the program. This proposed rule establishes expectations and standards for asthma education of participants and environmental assessments and is not anticipated to significantly affect the costs to existing small businesses. The main cost to providers will be related to obtaining and maintaining national and/or state certification for asthma education and asthma environmental assessments. With the engaged experts, we derived the most appropriate method of national and state certification for both providers.

Please explain how your agency has involved small businesses in the development of the proposed rule.

We have had many conference calls and meetings with the group of experts to provide input to this rule change, including asthma educators and environmental assessors, and included them in the development of these rule changes and updates. We have consistently asked them for suggestions and comments and have made appropriate modifications to the changes in response to their feedback. We have sent them our correspondence and drafts to review and

suggest modifications if needed. We continue to have these calls and meetings to complete this rule.

Please list the probable monetary costs and benefits to your agency and any other agencies affected. Please include the estimated total amount your agency expects to collect from additionally imposed fees and how the moneys will be used.

There is a potential for savings for implementing asthma education and asthma environmental assessments among participants with a primary diagnosis of asthma. The total cost to the MO HealthNet Division is proposed to be \$1.2 million with a General Revenue of \$400,000. Potential benefits to MHD include increased asthma control in youth at risk for uncontrolled asthma and thus fewer complications, Emergency Department visits, and hospitalizations. The cost to the asthma educator and the asthma environmental assessor to become an enrolled MO HealthNet provider is \$542.

Please describe small businesses that will be required to comply with the proposed rule and how they may be adversely affected.

Small independent provider practices and hospital-based providers that seek to provide asthma education and asthma environmental assessments to MO HealthNet covered participants with a primary diagnosis of asthma will be required to obtain prior authorization from MO HealthNet to refer the participant to the appropriate educator and/or environmental assessor. There will be no new costs incurred by the referring/prescribing providers. Asthma assessors and educators will need to be certified by the state of Missouri or nationally. This will create an initial small cost for the educators and assessors for the certification and then for continuing education.

Please list direct and indirect costs (in dollars amounts) associated with compliance.

Asthma Educators and Asthma Environmental Assessors must enroll as MO HealthNet providers in order to receive reimbursement for their services. This rulemaking can result in additional revenue for small businesses. The individuals seeking to provide these services for eligible MO HealthNet participants will need to obtain state and/or national certification as Asthma Educators or Asthma Environmental Assessors. There are associated costs with each certification. The National Asthma Educator certification initial test fee is \$295. This certification must be maintained by a total of 35 asthma related accredited continuing education units (CEUs) every five years with a renewal fee of \$245. If the certified Asthma Educator decides to retest and not engage in CEUs, the renewal and testing fee is \$245 every seven years.

The Healthy Homes Specialist Credential (HHS) initial testing fee is \$310 for non-members and \$175 for members of the National Environmental Health Association (NEHA). The HHS must obtain 15 CEUs and pay a renewal fee every two years. The fee is dependent on if the certified individual is a member of the NEHA. The renewal fee for non-members is \$255 and the fee for members is \$125.

There is no cost to the individual seeking a state certificate for asthma education through the University of Missouri. For individuals seeking a state certification through Southeast Missouri State University to be a certified In-Home Environmental Assessor the cost is \$75.

There are many options available to individuals needing to receive accredited CEUs to maintain their certifications including webinars, conferences, and participating in self-paced online courses. The cost of a CEU depends on the type of CEU obtained. Online courses are generally the cheapest option and many are free. Conference prices vary depending on the association delivering the education and can range from \$20-\$80 per CEU hour. The American Lung Association, Association of Asthma Educators, and American Association of Respiratory Care offer conferences yearly and the cost ranges from \$220 to \$554. Each conference offers a different number of CEUs for the certified individual.

Please list types of business that will be directly affected by, bear the cost of, or directly benefit from the proposed rule.

State or Nationally Certified Asthma Educators

State or Nationally Certified Asthma Environmental Assessors

Does the proposed rule include provisions that are more stringent than those mandated by comparable or related federal, state, or county standards?

Yes\_\_\_\_ No\_X\_

If yes, please explain the reason for imposing a more stringent standard.

*For further guidance in the completion of this statement, please see §536.300, RSMo.*